

REMARKS

Claims 1-115 are pending in this application; claims 1-63, 70-84 and 88-115 are withdrawn; claim 64 is amended herein, and therefore claims 64-69 and 85-87 remain for consideration.

Claims 64 and 85-87 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Pribe (U.S. Pat. No. 5,802,720). The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendment to the claim 64.

Pribe is directed to a razor consisting of a flexible cloth-like base material upon which are mounted a plurality of cutting heads. Each head is attached to the base material so as to be flexible in orientation. A preferred head embodiment includes a flat metal structure having an attachment hole for connection to the cloth and an aperture large enough for passage of one or more hairs. The perimeter of the aperture has a sharp edge for cutting the hair. The density or quantity of heads per unit area is large so as to result in some overlap of heads. The cloth-like base material provides a structure that conforms to body contours.

However, Pribe does not teach or suggest a hair removal device comprising a substantially planar and rigid substrate, and at least 10 micro-blades connected to the substrate, as recited in amended independent claim 64 of the present application. (Support for the substrate being rigid is in the specification at, for example, page 23, lines 12 and 13.) On the contrary, Pribe is directed to a razor including a non-rigid substrate or flexible cloth-like base material upon which are mounted cutting heads.

For an anticipation rejection to be appropriate, each and every element or limitation in a rejected claim must be shown in a single prior art reference used in the claim rejection. Because Pribe does not teach or suggest a hair removal device comprising a substantially planar and rigid substrate including at least 10 micro-blades connected to the substrate, it cannot be maintained that amended claim 64 is anticipated by Pribe. Moreover, because claims 85-87 each depend from and thereby incorporate the limitations of claim 64, claims 85-87 are likewise deemed not anticipated by Pribe for at least the reasons set forth for claim 64.

Claims 65-69 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Pribe (U.S. Pat. No. 5,802,720) or, in the alternative, under 35 U.S.C. § 103(a) as allegedly being obvious over Pribe as set forth in paragraph 5 of paper number 12 (i.e., Office Action of April 1, 2003). Claims 65-69 each depend from and thereby incorporate the limitations of claim 64. The rejection is traversed and reconsideration is respectfully requested, particularly in view of the clarifying amendment to the claim 64.

In paragraph 5 of paper number 12, the Examiner believes that Pribe allegedly discloses the same invention as claimed including at least 50, 100, 200, 500 and 1000 micro-blades as shown in the figures. The Examiner further believes that even if it were argued that Pribe lacks the specific number of blades, it would have been obvious to one having ordinary skill in the art to use any number of blades.

However, it has been demonstrated above that Pribe does not teach or suggest a hair removal device comprising a substantially planar and rigid substrate including at least 10 micro-blades connected to the substrate, as recited in claim 64 from which rejected claims 65-69 each depend. The substrate as taught by Pribe is not rigid, but rather a flexible cloth-like base material to conform to the contours of a shaving surface. In fact, Pribe teaches away from using a rigid substrate when stating that its device "differs from the prior art in that ... the base 84 is an unsupported (cloth-like) material, allowing it to conform more fully to body contours." (See col. 6, lines 55-58).

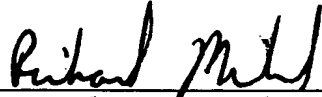
Because Pribe does not teach or suggest a hair removal device comprising a substantially planar and rigid substrate including at least 10 micro-blades connected to the substrate as recited in claim 64 from which rejected claims 65-69 each depend, it cannot be maintained that claims 65-69 are anticipated by Pribe. Moreover, because Pribe teaches away from using a rigid substrate, it cannot be maintained that claims 65-69 are obvious over Pribe.

In view of the foregoing, it is respectfully submitted that claims 64-69 and 85-87 are in condition for allowance. All issues raised by the Examiner having been addressed herein, an early action to that effect is earnestly solicited.

No fees or deficiencies in fees are believed to be owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any such fees are owed.

Respectfully submitted,

By



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